

oxl

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

13CV5886

DEAN OSBORNE BRUCE

Petitioner,

-v-

UNITED STATES OF AMERICA,

Respondent,

1:04 CR. 00119-06 (AK  
HELLERSTEIN-DC-Judge  
A040 092 699  
Bop No, 55737-019

Petitioner, Dean osborne Bruce, appearing Pro Se, brings this motion under 28 U.S.C Section 2255 to vacate his guilty plea. Petitioner is uneducated in the Law so the court should Construe his motion "liberally" Haines -v- Kerher, 404 U.S. 591 (1972). Petitioner Bruce miss the one-year cutoff for Seeking federal habeas corpus relief. Under the Antiterrorism and Effective Death Penalty Act(AEDPA).Can still have their Constitutional claim heard If they convince the district court that no reasonable juror would find Them guilty after hearing new evidence of their " actual innocence" A majority of the U.S. Supreme Court ruled May 28, (Mc Quiggin v.Perkins, U.S. No. 12-126, 5/28/2013.

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Petitioner, Bruce. Present new evidence to the court. Petitioner, arrive The United States in August of 1986. at J.F.K. International Airport. in New York City as a Lawful Permanent Resident of the United States. See Exhibit (A). file No. A040-092-699. Petitioner was charge with 8 U.S.C. 13 (A). ILLEGAL RE-ENTRY BY AN AGGRAVATED FELON. (SRT VIOL) See Exhibit (B). Petitioner, is a Stepchild of a United States citizen parent. See Exhibit (c)(D). A Stepchild will qualify for immediate-relative Status when (1) Marriage creating the Stepchild relationship occurred before the child's Eighteenth birthday and (2) the Stepchild relationship exists at the time The Status is Sought. See Exhibit (E)(F). (Citizenship Claim not frivolous) The Constitution is violated when a person with a non-frivolous claim to U.S. Citizenship is deported without receiving a judicial determination of That claim. "Rivera v. Ashcroft, 394 F.3d 1129, 1140 (9th cir. 2005). Nunc Pro Tunc Relief. the Phrase nunc Pro tunc means, literally, "now for then". See Exhibit (E). See also Loun v. Ashcroft, 464 F.3d 172, 182 (2d cir. 2006) (internal quotation marks omitted)." when a matter is adjudicated nunc Pro Tunc it is as if it were done as of the time that it should have been done. Edwards v. INS, 393 F.3d 299, 308 (2d cir. 2004); accord Blake v. Carbone, 489 F.3d 88, 94 n5 (2d cir. 2007). However, the doctrine of nunc Pro tunc "Is a far-reaching equitable remedy applied in certain exceptional cases, Typically aimed at rectify[ing] any injustice [to the Parties] Suffered. By them . On account of judicial [or agency] delay. Loun v. Ashcroft, 464 F.3d 172, 182 (2d cir. 2006). (quoting Lavorski 232 F.3d at 130 n4 and Weil v. Markowitz, 829 F.2d 166, 175, 264 U.S. App. D.C. 381 (D.C. Cir. 1987) See Exhibit (c)(D)(E). Naturalization Process, In General. the Constitution Of the United States, as originally adopted, refers to "naturalization," U.S. Const. art. 1, Section 8, cl. 4 and the fourteenth Amendment refers to "Naturalized" Citizens. U.S. Const. amend. xiv, Section 1. it has often been said that the naturalized person is not a Second class citizen. See, e.g., Knauer v. United States, 328 U.S. 654, 658, 66 S.Ct. 1304, 90 L.Ed 1500 (1946)

Schneiderman v. United States, 320 U.S. 118, 63 S. ct. 1333, 87 L.Ed. 1796 (1943). In most respects the naturalized citizen is accepted as a member of our society on an equal footing with the native born. See Osborn v. Bank of United States, 22 U.S. 738 (9 Wheat. 738), 6 L.Ed. 204 (1824); Luria v. United States, 231 U.S. 9, 22, 34 S. ct. 10, 58 L.Ed. 101 (1913). This is just such an exceptional case. The argument is a pure question of law. See Exhibit (c)(D)(E). even if not raised below where refusal to reach the issue would result in a miscarriage of Justice or where the issue's resolution is of Public importance"; Selected Risks Ins. CO V. Bruno, 718 F.2d 67, 69 (3d cir. 1983). See Exhibit (c)(D)(E). No additional fact-finding is necessary as will appear, the proper resolution of the legal question, though not exactly simple, is reasonably certain and failing to consider Bruce, argument would result in the substantial injustice of deporting an American citizen. See Exhibit (c)(D)(E). when appellant's mother was naturalized in 1989, she had "legal custody" of appellant for purposes of 8 U.S.C. Section 1432 (a)(3) (repealed 2000). because she had actual untested custody under "matter of M." as other requisites of Section 1432 (a) were met, appellant gained derivative U.S. Citizenship when his mother was naturalized. He was not deportable. See Exhibit (c)(D)(E). INA Section 101(a)(2)(22), and 308, 8 U.S.C. Section 1101(a)(21), (22), and 1408. The present Statute defines alien as any person not a citizen or national of the United States. INA Section 101 (a)(3) 8 U.S.C. Section 1101 (a)(3). The Statute also defines National as a person owing permanent allegiance to a State New York. INA Section 101 (a)(21), 8 U.S.C. Section 1101 (a)(21). The Immigration and Nationality Act (INA) defines naturalization as the conferring of nationality after birth by a means. INA Section 101 (a)(23), 8 U.S.C. Section 1101 (a)(23). The term national ordinarily means a person owing permanent allegiance to a State of New York. See, e.g. INA Section 101 (a)(21), 8 U.S.C. Section 1101 (a)(21). Naturalization of a child's parents is a prerequisite to derivative citizenship under the plain language of the former derivative citizenship Statute. See Robinson v. Shell Oil Co., 519 U.S. 337, 340, 117 S. ct. 843, 136 L.Ed. 2d 808 (1997). See Exhibit (c)(D)(E).

Derivative Citizenship can be acquired by a child through the naturalization of his parent only if the conditions prescribed by Congress are Satisfied. See *Zartarian v. Billings*, n.16 Supra; *Kaplan v. Tod*, n.16 Supra; *Patton v. N.* 24 Supra; *Montana v. Kennedy*, 366 U.S. 308, 81 S. ct. 1336, 6 L.Ed.2d 313 (1961); *Di Rienzo v. Rodgers*, 185 F.334 (3d cir. 1911); *Dallao v. Corsi*, 55 F. 941 (S.D.N.Y. 1932). or who have acquired citizenship by judicial, or Administrative, See *Wo v. Dulles*, 236 F.2d 622 (9th cir. 1956). Naturalization Or in any other manner. It is now well settled, However, that the constitution conferred the power to naturalized. See Exhibit (c)(D)(E). A claim of U.S. Citizenship or naturalization. See, e.g. *Van Eeton v. Beebe*, 49 F. Supp. 2d 1186 (D.Or.1999). Petitioner could produce evidence of naturalization, court recognized his Fifth Amendment procedural due process right to fair hearing See Exhibit (c)(D)(E). Petitioner, Bruce, presents an exceptional scenario Which the courts are required by Statute to consider the merits of a Nationality claim. The INA codifies the principle established in *Ng Fung Ho White*, 259 U.S. 276 (1922), That a person who makes a nonfrivolous claim of U.S. Citizenship has a due process right not to be deported without a judicial Trial on the citizenship issue. See *Hughes v. Ashcroft*, 255 F.3d 752, 755 (9th cir. 2001) See Exhibit (c)(D)(E). (INA Section 242(b)(5)(A) requires a Court of appeals to adjudicate the removal order if the petitioner claims to Be a citizen or national). See also *Medina v. INS*. 1 F.3d 313 (5th cir. 1997) (Language of then-INA Section 242 (b)(5) Suggested Congress intended to Protect the prtitioner seeking recognition of his or her citizenship, not the INS). See Exhibit (c)(D)(E). Under Title, 28 U.S.C.S. § 1361 Action to compel An officer of the United States to perform his duty. (Oct. 5.1962, P.L.87-748, Section 1(a). 76 Stat. 744). Proof of Relationship. An applicant's relationship to an alleged parent is sometimes at issue in an exclusion proceeding, Particularity when a derivative citizenship claim is presented. In these cases, The applicant has the burden of proving, for example, his or her parent's U.S. Citizenship and the applicant's own relationship to that citizen. *Ark v. car* 105 F.2d 607 (9th cir. 1939). Alienage. As a matter of pure logic there would

Seem to be no point in naturalizing a person who is already a citizen of the United States. some courts have relied upon this reasoning in denying the Applications for naturalization of persons deemed already citizen. See *In re Donshy*, 77 F. Supp. 832 (S.D.N.Y. 1948); *In re Black*, 64 F. Supp. 518 (D. Minn. 1945); *In re Bishop*, 26 F.2d 148 (W.D. Wash 1927); *In re Grant*, 289 F.814 (S.D. Cal. 1923). In cases of derivative citizenship, uncertain as to the precise Status of the person through whom citizenship was claimed. See, e.g., memorandum from Terrance M. O'Reilly, Acting INS Assistant Commissioner, to all INS field offices, File HQ 321, Section 321(a) of the INA (Feb. 18, 1997), reproduced at 2 *Bender's Immigr. Bull* 527 (July 1, 1997). The memo notes that it was uncertain-whether a Minor whose alien parent dies while the other-parent is naturalized can derive Citizenship from the naturalized parent. See Exhibit (c)(D)(E). A federal court Retains subject matter jurisdiction to consider a non-citizen's claim of citizenship because such a claim raises a Constitutional issue or a question of law, Relying on our decisions in *Poole v. Mukasey*, 522 F.3d 259 (2d cir. 2008), and *Ashton v. Gonzales*, 431 F.3d 95 (2d cir. 2005). See Exhibit (c)(D)(E). "Petitioners Have a genuine issue of material fact," See Exhibit (c)(D)(E)(F). However, Petitioner did meet the criteria for derivative citizenship under section 1432 (a) (repealed) when he did reside lawfully in the United States as a minor when his mother was naturalized. Petitioner's mother had entered the United States some time in 1979. And petitioner was admitted to the United States as a lawful permanent resident in August of 1986. At the age of fifteen years old. Petitioner lived in the United States continuously since August of 1986. Petitioner could not be deported because he was a citizen of the United States. Petitioner was residing in the United States pursuant to a lawful admission for Permanent residence. To determine whether an alien obtains derivative citizenship under 8 U.S.C. Section 1432 (a), the court "applies the law in effect when [petitioner] fulfilled the last requirement for derivative citizenship." *Ashton v. Gonzales*, 431 F.3d 95, 97 (2d cir. 2005). At the time petitioner's mother received her citizenship in 1989, section 321(a) of the INA provided,

a child born outside of the United States of alien parents. Relevant part... becomes a citizen of the United States upon fulfillment of the following conditions. (3) Or the naturalization of the mother if the child was born out of wedlock and the paternity of the child has not been established by legitimation. See Exhibit (F). and if (4) such naturalization take place while such child is unmarried and under the age of eighteen year, and (5) such child is residing in the United States pursuant to a lawful admission for permanent residence at the time of the naturalization of the parent...naturalized under clause...(3).

8 U.S.C. Section 1432(a) (emphasis added). (repealed 2000). Petitioner meets condition (3) because at the time his mother was naturalized. She had sole custody of him. See Exhibit (c)(D)(E)(F). He also meets condition (5) because he began to reside in the United States as a lawful permanent resident in 1986. Any right to citizenship must be granted by Congress pursuant to its powers under U.S. Const, art. I section 8, cl. 4. The applicable law for transmitting citizenship to a illegitimate child born abroad when one parent is a United States citizen is the Statute that was in effect at the time of the child's birth. 8 U.S.C.S. Section 1432(a)(3)(4)(5). Petitioner is entitled to derivative citizenship under former Section 321 (a)(3). Because petitioner was not born in the United States. Naturalization is his "sole source for a claim of citizenship." *Marquez-Marquez*, 455 F.3d at 554. He bears the burden of proving that he qualifies for naturalization, and the court resolves [377 Fed. Appx. 364] all doubts on the matter in favor of the United States. See *id.* Because he turned eighteen in 1997, the provisions of former Section 321 (a) apply to his claim. Those provisions were repealed by the Child Citizenship Act of 2000, Pub.L. No. 106-395, 114 Stat. 1631 (2000), but as petitioner acknowledges, the child citizenship Act is not retroactive. Thus, his claim is governed by section 321(a). See *Nehme v. INS*, 252 F.3d 415, at 430-32 (5th cir. 2001). Because congress's intent in drafting section 321(a) was the protection of parental rights by ensuring that only those alien children "whose real interest[s]" were located in America with their custodial parent" would be automatically naturalized. See Exhibit (D)(F).

Children born outside the United States, of alien parents, acquire U.S. citizenship automatically if before their eighteenth birthday they move to the United States, and one or both of their parents become U.S. citizens. Section 321(a) of the Immigration and Nationality Act, 8 U.S.C. § 1432 (a). Dean Bruce who was born in Jamaica of Jamaican parents, contends that he became a citizen on February 24, 1989, See Exhibit (D). Before his eighteenth birthday, when his mother Linda Dewar became a naturalized United States citizen. See Exhibit (D). Whether these events made Bruce a citizen depends on § 321(a), which reads: A child born outside of the United States of alien parents ... becomes a citizen of the United States upon fulfillment of the following conditions: (3) or the naturalization of the mother if the child was born out of wedlock and the paternity of the child has not been established by legitimation; See Exhibit (F). See also WEDDERBURN v. I.N.S. at page 796-797. Under § 101(c)(1), because petitioner was a child at the time his mother was naturalized in 1989. See Exhibit (D)(F). See Wedderburn at page 799. According to Bruce, the statute " creates an invidious classification between naturalized mother of illegitimate children, who can pass on the benefit of citizenship. See Exhibit (D)(F). See also Miller v. Albright, 523 U.S. 420, 118 S. Ct. 1428, 140 L.Ed.2d 575 (1998), under 8 U.S.C. § 1409, which provides that illegitimate children inherit the citizenship of their mothers. Wedderburn v. I.N.S. 215 F.3d 795, 800-801 (7th cir. 2000). Here petitioner mother filed for naturalization before petitioner eighteenth birthday. Further if not for the agency delay petitioner would have obtained derivative citizenship. Further [in the unpublished decision relied upon in Poole, the third circuit remanded for the agency to determine whether, as a general rule. The petitioner Bruce's age at the time of his mother filing her naturalization application should govern over the petitioner; age, at the time the naturalization occurred, regardless of whether any undue delay occurred, See Calix-Chavarria, 182 Fed. App'x at 76 (remanding with apparent approval of the Attorney General, for the agency to consider whether " the

Child Status Protection Act of 2002 [1], Pub. L. No. 107-208, 116 Stat. 927.

[Which] amended the Immigration and Nationality Act to provide "age out protection for individuals who were children at the time naturalization application filed. At the time the child was less than eighteen (emphasis added)). Such a rule would cover Bruce, case too. Because his mother's application was filed before his eighteenth birthday. Thus, in short, under both *Poole* and *Calix-Chavarria*, Bruce's claim for derivative citizenship is an essential jurisdiction fact. 294 Fed.Appx. 637 :: *Lewis v. Elroy* :: September 26, 2008. See Exhibit (D)(F). Petitioner, Bruce's mother marries the stepfather Ivan Henry Dewar, in November 26, 1982. Exhibit (I). For the purposes of section 101 (b)(1)(b) of the Immigration and Nationality Act (8 U.S.C.A. Section 1101 (b)(1)(b)). 54 A.L.R. Fed. 182 (1994). The stepchild relationship continues with the stepfather and the biological mother. See *Matter of Mourillon*, 18 I.& N. Dec. 122 (BIA 1981). The Act's definition of stepchild applies even if the child was born out of wedlock. See, e.g., *Matter of Howard*, Immigr. Rep. B1-190 (BIA 1986). See Exhibit (E). A stepchild includes a child born out of wedlock whose father marries a U.S. Citizen. Who treats the child as a member of the family. See *Palmer v. Reddy*, 622 F.2d 463, 464 (9th cir. 1980)(INA benefits an unlegitimated child whose father married a U.S. Citizen and then sought to have the child join them in the United States); *Matter of The*, 11 L. & N. Dec. 449(BIA 1965)(in the converse situation, the wife of the father was entitled to preferred status as a parent); *Paul Wickham Schmidt*, Immigration benefits for children born out of wedlock and their natural father: A survey of the Law, 16 San Diego L. Rev. 11, 29 (1978). In addition, a child born out of wedlock to a man qualifies as a stepchild of the woman he later married when the beneficiaries are under eighteen years old. Without any need for showing "active parental interest" or a "close family unit". *Matter of Mc Millan*, 17 L. & N. Dec. 605 (BIA 1981); See *Matter of Mourillon*, 18 L. & N. Dec. 122 (BIA 1981); 8 C.F.R. Section 204.2 (d)(2)(iv)(evidentiary requirements for stepchild petitions are birth certificate of stepchild, marriage certificate of biological parent and stepparent. See Exhibits (c)(D)(E)(F).

The Executive Branch may remove certain aliens but has no authority to remove a citizen. An assertion of United States " citizenship is thus a denial of an essential jurisdiction fact." *Ng Fung Ho v. White*, 259 U.S. 276, 284, 42 S. 492, 66 L.Ed. 938 (1922); *Rivera v. Ashcroft*, 394 F. 3d 1129, 1136 (9th cir. 2005); See also *Frank v. Rogers*, 102 U.S. APP. D.C 367, 253 F. 2d 889, 890 (D.C. cir. 1958); (" Until the claim of citizenship is resolved, the propriety of the entire proceeding is in doubt".) The Constitution does not permit American citizenship to be so easily shed. " *Rivera*, 394 F. 3d at 1136. (" citizenship is not a license that expires upon misbehavior."). Not all children need to have their parents file an application with INS in order to become U.S. citizens. Some children become U.S. citizens automatically by deriving citizenship upon the naturalization of their parents. In such cases they only need evidence of their citizenship status, which can be in the form of a certificate of citizenship or a U.S. passport. see Exhibit (c)(D). The Board of Immigration Appeals thereafter reached the opposite conclusion in a published decision. In *Matter of Baires*, 24 I&N Dec. 467 (BIA 2008) the Board held to derive citizenship through the custody of a U.S. citizen who has already naturalized, one " must show only that he was in the legal custody of his stepfather and biological mother before he reached the age of 18 years. See Exhibit (c)(D)(E)(F). It has long been held that a certificate of naturalization, issued by the court, is not subject to collateral attack. In *re Flegenheimer*, 41 OP. Att'y Gen.70 (1960)(resolving Previous conflict between Department of State and INS). Cf. *Cheung v. Rogers*, 272 F.2d 354 (9th cir. 1959)(certificate of naturalization subject to rebuttal by evidence of blood test). *Isau v. Smith*, 511 F.3d 881, 891, (9th cir. 2007). Despite petitioner criminal offense. See Exhibit (B).Under all the circumstances, petitioner argues that the district court erred in convicting the defendant with illegal reentry. The indictment was fundamentally unfair. 394 F.3d 111 *United States v. Scott*:: October 12, 2004.Petitioner, ask this court to reverse judgment, and the conviction for illegal reentry should be expunged from his record.

CONCLUSION

For the foregoing reasons, the writ of habeas corpus should issue forthwith on all issues contained herein, thereby vacating and set aside the conviction and sentence, or, in the alternative that the petitioner be immediate relief based on the evidence present.

See Exhibit (A)(B)(c)(D)(E)(F).

Certificate of Service

I hereby certify under penalty of perjury that a true and complete copy of this motion including the exhibits was mailed via first class mail to the court.

on this 5 day of August 2013


Respectfully Submitted,  
  
Dean Osborne Bruce, pro se

EXHIBIT (A)

DEPARTMENT OF HOMELAND SECURITY  
IMMIGRATION DETAINER - NOTICE OF ACTIONSubject ID: 346173857  
Event #: PHO1304000874File No: A040 092 699  
Date: April 16, 2013TO: (Name and Title of Institution - OR Any Subsequent Law  
Enforcement Agency)  
US MARSHAL - PHOENIX  
SANDRA DAY O'CONNER US COURTHOUSE, S 270  
PHOENIX, AZ 850032159FROM: (Department of Homeland Security Office Address)  
PHOENIX, AZ, DOCKET CONTROL OFFICE  
USICE / DRO  
2035 N. CENTRAL AVE.  
PHOENIX, AZ 85004

## MAINTAIN CUSTODY OF ALIEN FOR A PERIOD NOT TO EXCEED 48 HOURS

Name of Alien: BRUCE, DeanDate of Birth: 08/13/1970Nationality: JAMAICASex MTHE U.S. DEPARTMENT OF HOMELAND SECURITY (DHS) HAS TAKEN THE FOLLOWING ACTION RELATED TO  
THE PERSON IDENTIFIED ABOVE, CURRENTLY IN YOUR CUSTODY:

- ☐ Determined that there is reason to believe the individual is an alien subject to removal from the United States. The individual (check all that apply):
- ☐ has a prior a felony conviction or has been charged with a felony offense;
  - ☐ has three or more prior misdemeanor convictions;
  - ☐ has a prior misdemeanor conviction or has been charged with a misdemeanor for an offense that involves violence, threats, or assaults; sexual abuse or exploitation; driving under the influence of alcohol or a controlled substance; unlawful flight from the scene of an accident; the unlawful possession or use of a firearm or other deadly weapon, the distribution or trafficking of a controlled substance; or other significant threat to public safety;
  - ☐ has been convicted of illegal entry pursuant to 8 U.S.C. § 1325;
  - ☐ has illegally re-entered the country after a previous removal or return;
  - ☐ has been found by an immigration officer or an immigration judge to have knowingly committed immigration fraud;
  - ☐ otherwise poses a significant risk to national security, border security, or public safety; and/or
  - ☐ other (specify): \_\_\_\_\_
- ☒ Initiated removal proceedings and served a Notice to Appear or other charging document. A copy of the charging document is attached and was served on \_\_\_\_\_ (date).
- ☐ Served a warrant of arrest for removal proceedings. A copy of the warrant is attached and was served on \_\_\_\_\_ (date).
- ☐ Obtained an order of deportation or removal from the United States for this person.

*This action does not limit your discretion to make decisions related to this person's custody classification, work, quarter assignments, or other matters. DHS discourages dismissing criminal charges based on the existence of a detainer.*

## IT IS REQUESTED THAT YOU:

- ☐ Maintain custody of the subject for a period **NOT TO EXCEED 48 HOURS**, excluding Saturdays, Sundays, and holidays, beyond the time when the subject would have otherwise been released from your custody to allow DHS to take custody of the subject. This request derives from federal regulation 8 C.F.R. § 287.7. For purposes of this immigration detainer, you are not authorized to hold the subject beyond these 48 hours. As early as possible prior to the time you otherwise would release the subject, please notify DHS by calling \_\_\_\_\_ during business hours or \_\_\_\_\_ after hours or in an emergency. If you cannot reach a DHS Official at these numbers, please contact the ICE Law Enforcement Support Center in Burlington, Vermont at: (802) 872-6020.
- ☒ Provide a copy to the subject of this detainer.
- ☒ Notify this office of the time of release at least 30 days prior to release or as far in advance as possible.
- ☒ Notify this office in the event of the inmate's death, hospitalization or transfer to another institution.
- ☐ Consider this request for a detainer operative only upon the subject's conviction.
- ☐ Cancel the detainer previously placed by this Office on \_\_\_\_\_ (date).

JERRY M. GOODMAN - IMMIGRATION ENFORCEMENT AGENT

(Name and title of Immigration Officer)

(Signature of Immigration Officer)

## TO BE COMPLETED BY THE LAW ENFORCEMENT AGENCY CURRENTLY HOLDING THE SUBJECT OF THIS NOTICE:

Please provide the information below, sign, and return to DHS using the envelope enclosed for your convenience or by faxing a copy to \_\_\_\_\_. You should maintain a copy for your own records so you may track the case and not hold the subject beyond the 48-hour period.

Local Booking/inmate #: \_\_\_\_\_ Latest criminal charge/conviction: \_\_\_\_\_ (date) Estimated release: \_\_\_\_\_ (date)

Last criminal charge/conviction: \_\_\_\_\_

**Notice:** Once in our custody, the subject of this detainer may be removed from the United States. If the individual may be the victim of a crime, or if you want this individual to remain in the United States for prosecution or other law enforcement purposes, including acting as a witness, please notify the ICE Law Enforcement Support Center at (802) 872-6020.

(Name and title of Officer)

(Signature of Officer)

Exhibit (B)

DRJCT 540\*23 \* SENTENCE MONITORING \* 05-06-2013  
 PAGE 001 \* COMPUTATION DATA \* 15:39:53  
 AS OF 05-06-2013

REGNO...: 55737-019 NAME: BRUCE, DEAN OSBORNE

FBI NO.....: 219084JA0 DATE OF BIRTH: 08-13-1970  
 ARS1.....: DRJ/A-DES  
 UNIT.....: K QUARTERS.....: K03-011U  
 DETAINERS.....: YES NOTIFICATIONS: YES

HOME DETENTION ELIGIBILITY DATE: 05-04-2014

THE FOLLOWING SENTENCE DATA IS FOR THE INMATE'S CURRENT COMMITMENT.  
 THE INMATE IS PROJECTED FOR RELEASE: 06-26-2014 VIA GCT REL

REMARKS.....: RELEASE AUDIT COMPLETED ON 05-01-2013 BY DSCC

-----CURRENT JUDGMENT/WARRANT NO: 020 -----

COURT OF JURISDICTION.....: NEW YORK, SOUTHERN DISTRICT  
 DOCKET NUMBER.....: 1:04 CR. 00119-06(AK)  
 JUDGE.....: HELLERSTEIN  
 DATE SENTENCED/PROBATION IMPOSED: 11-29-2006  
 DATE SUPERVISION REVOKED.....: 09-07-2011  
 TYPE OF SUPERVISION REVOKED.....: REG  
 DATE COMMITTED.....: 04-20-2013  
 HOW COMMITTED.....: COMMIT OF SUPERVISED REL VIOL  
 PROBATION IMPOSED.....: NO

	FELONY ASSESS	MISDMNR ASSESS	FINES	COSTS
NON-COMMITTED.:	\$400.00	\$00.00	\$00.00	\$00.00

RESTITUTION...: PROPERTY: NO SERVICES: NO AMOUNT: \$00.00

-----CURRENT OBLIGATION NO: 010 -----

OFFENSE CODE....: 391  
 OFF/CHG: 21:846 CONSPIRACY TO DISTRIB MARIJUANA.18:922(G)(1) POSS  
 OF A CONVICTED FELON.8:1326(A) ILLEGAL RE-ENTRY BY AN  
 AGGRAVATED FELON. (SRT VIOL)

SENTENCE PROCEDURE.....: SUPERVISED RELEASE VIOLATION PLRA  
 SENTENCE IMPOSED/TIME TO SERVE.: 18 MONTHS  
 TERM OF SUPERVISION.....: 3 YEARS  
 DATE OF OFFENSE.....: 12-31-2001

G0002 MORE PAGES TO FOLLOW . . .

*Le Secrétaire d'Etat  
des Etats-Unis d'Amérique  
prie par les présentes toutes autorités compétentes de laisser passer  
le citoyen ou ressortissant des Etats-Unis titulaire du présent passeport,  
sans délai ni difficulté et, en cas de besoin, de lui accorder  
toute aide et protection légitimes.*

**NOT VALID UNTIL SIGNED**



Type/Catégorie **D** Code of issuing / code du pays **USA** State **USA** **085130181** **085130181** **PASSPORT NO. / NO. DU PASSEPORT**

Surname / Nom

DEWAR

veh names / Prénoms

**IVAN HENRY**  
Nationality / Nationalité

UNITED STATES OF AMERICA

Date of birth / Date de naissance

25 JAN 21

per / xax

EX 7 3000

Date of issue / Date de réimpression

8c NIII/NIII 96

**20 JUN**  
**authoritative / Aufwachen**

**SECURITY / AUTHORITY**  
**PASSEPORT AGENCY**

NEW ORLEANS

Date of expiration / Date d'expiration  
27 JUN / JUN 86

Amendments/

## Modification

SEE PAGE 24

24

[illegible]

Exhibit (D)

No. 13714548

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RECORDED IN NEW YORK

Petition No. 1067729

ORIGINAL.

N.Y. Registration No. A26188157

Personal description of holder as of date of naturalization: Date of birth JUNE 14, 1932 sex FEMALE;  
 complexion DARK color of eyes BROWN color of hair BLACK height 5 feet 7 inches;  
 weight 153 pounds; visible distinctive marks NONE  
 Marital status MARRIED

I certify that the description above given is true, and that the photograph affixed hereto is a likeness of me.  
 Country of former nationality JAMAICA

*Linda Elfreda Dewar*  
 (Completed true signature of holder)

UNITED STATES OF AMERICA } ss:  
 EASTERN DIST. OF NEW YORK

Residence, that also a term of the District Court of  
 The United States Brooklyn

held pursuant to law of FEBRUARY 24, 1989 the Court having found that  
 on LINDA ELFREDA DEWAR

then residing at BROOKLYN, NEW YORK  
 is entitled to reside permanently in the United States (when so required by the  
 Naturalization Laws of the United States), and on all other respects complied with  
 the applicable provisions of such naturalization laws, and was entitled to be  
 admitted to citizenship by the court, and that such person is and always  
 admitted as a citizen of the United States of America.  
 In testimony whereof the seal of the court is hereunto affixed this 24TH  
 day of FEBRUARY

EIGHTY-NINE

ROBERT C. HEINEMANN

Clerk of the U.S. District Court.

*By Willie Carroll* Deputy Clerk.



Seal

IT IS PUNISHABLE BY U. S. LAW TO COPY,  
 PRINT OR PHOTOGRAPH THIS CERTIFICATE,  
 WITHOUT LAWFUL AUTHORITY.

Marriage License  
No. 11937 19 82

R.F. 76-38M Sets-74318(82) 346

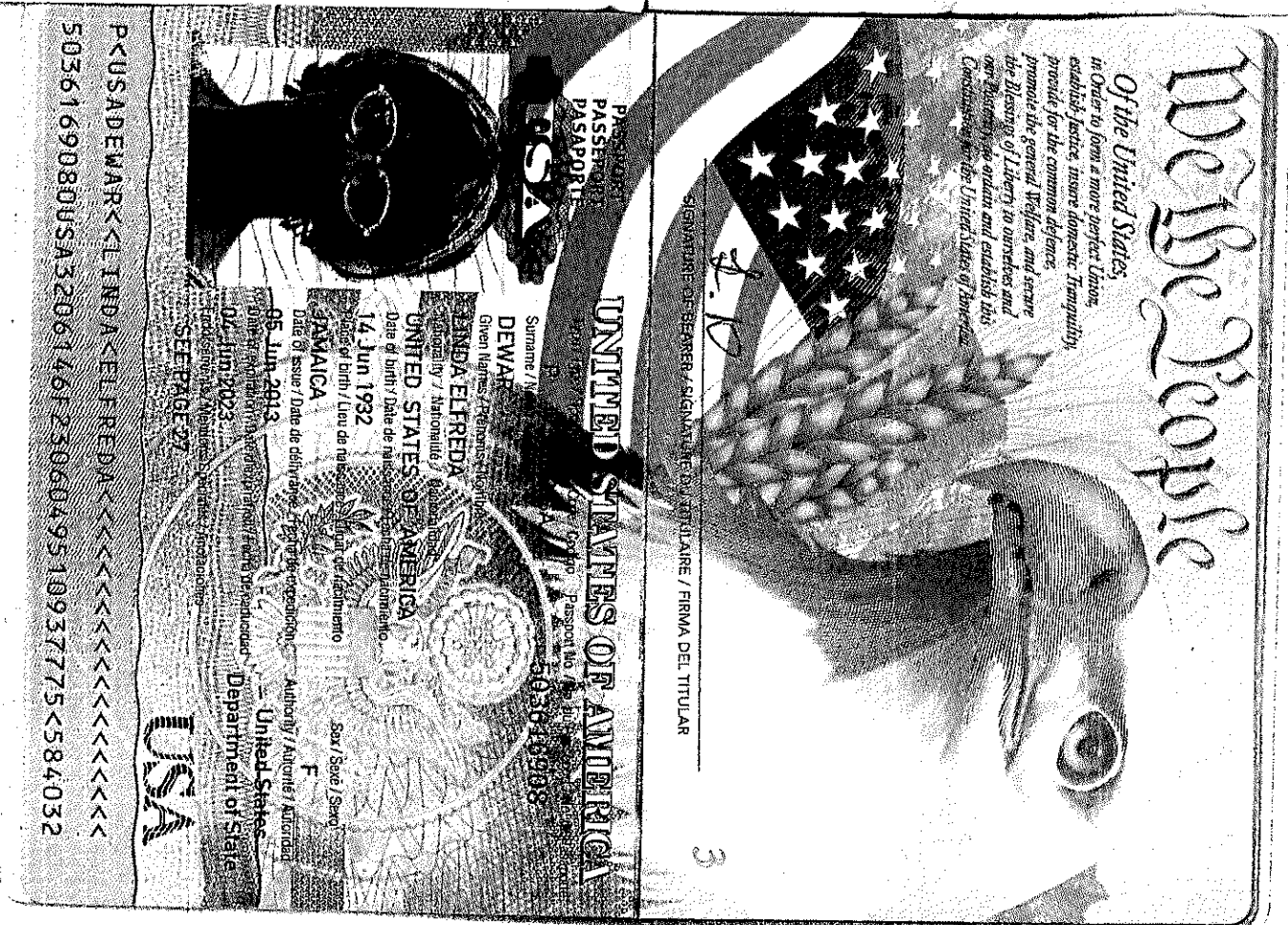


EXHIBIT CFS

ORIGINAL  
FORM A

## BIRTH REGISTRATION FORM

(Section 12)

1. BIRTH IN THE DISTRICT OF KINGSTON  
 2. PARISH KINGSTON 3. No. AA 9304

Do not write in  
this margin

4. Place of Birth..... <u>VICTORIA JUBILEE LYING IN HOSPITAL August 5</u>	
5. Date of Birth..... <u>Thirteenth August 1970</u>	
6. Sex..... <u>Male</u>	
7. Name of Child.....	
8. Physician or registered midwife in attendance..... <u>Nurse J. Wright</u>	
FATHER	
9. Name and Surname.....	
10. Age at time of birth..... years 11. Occupation.....	
12. Birthplace.....	
MOTHER	
13. (a) Residence..... <u>22 Arlington Avenue</u>	
(b) Town or Village..... <u>Windward Road</u> (c) Parish..... <u>Kingston</u>	
14. No. of Children previously born to mother (a) Alive..... <u>3</u> (b) Still-born..... <u>nil</u>	
15. Name and Maiden Surname..... <u>Linda Wright</u>	
16. Age at time of birth..... <u>38</u> years 17. Occupation..... <u>nil</u>	
18. Birthplace..... <u>St. Elizabeth</u>	
INFORMANT	
19. Name and Surname.....	
20. Qualification.....	
21. (a) Residence.....	
(b) Town or Village.....	
(c) Parish.....	
Signature of Informant.....	
REGISTRAR'S CERTIFICATE	
22. (a) Signed in my presence by the said informant.....	
(or)	
(b) Entered by me from the particulars on a Certificate received from..... <u>J. Phillips for</u>	
..... <u>Chief Resident Officer</u> <u>VICTORIA JUBILEE LYING IN HOSPITAL AUGUST 5</u>	
23. Witness..... <u>[Signature]</u>	
24. Date..... <u>Nineteenth August 1970</u> 25. (Signed)..... <u>[Signature]</u>	
Registrar	
NAME IF ADDED AFTER REGISTRATION OF BIRTH	
26. Name..... <u>Dean Osborne Bruce</u>	
27. Authority..... <u>Certificate of Naming</u>	
28. Date added..... <u>Sixteenth 8 March 1971</u>	